

HOUSE BILL 715

By Moody

AN ACT to amend Tennessee Code Annotated, Title 49,  
Chapter 10, Part 14, relative to the eligibility  
requirements for the Individual Education Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-10-1402, is amended by deleting  
subdivision (3)(A) and substituting instead the following language:

(3) "Eligible student" means a resident of this state who:

(A)

(i) Has an individualized education program (IEP) in effect at the  
time the department receives the request for participation in the program  
and has any of the following disabilities listed as the primary or secondary  
disability on the student's IEP:

- (a) Autism;
- (b) Deaf-blindness;
- (c) Hearing impairments;
- (d) Intellectual disability;
- (e) Orthopedic impairments;
- (f) Traumatic brain injury; or
- (g) Visual impairments;

(ii) Has received a diagnosis of a disability from a physician or  
psychologist licensed under title 63, chapter 6, 9, or 11, for at least one  
(1) of the following disabilities:

(a) Autism, as defined in the fifth edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM) of the American Psychiatric Association;

(b) Cerebral palsy;

(c) Deaf-blindness;

(d) Down syndrome;

(e) Epilepsy;

(f) Intellectual disability, as defined in § 33-1-101;

(g) Muscular dystrophy;

(h) Visual impairments; or

(i) Spina bifida; or

(iii) Received an individualized education account (IEA) in the previous school year;

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.